

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BORIS ANGUELOV AVRAMSKI,

Plaintiff,

v.

UNITED STATES; JANET NAPOLITANO,
Secretary, Department of; Homeland Security;
ALEJANDRO MAYORKAS, Director; United
States Citizenship and Immigration Services;
LEANDER B. HOLSTON, Field Office Director,
Las Vegas Field Office of the United States
Citizenship and Immigration Service;

Defendants.

Case No. 2:12-cv-2167

JOINT STIPULATED VOLUNTARY DISMISSAL WITHOUT PREJUDICE

TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:

The parties hereby stipulate and agree as follows:

1. Through his Counsel, Plaintiff Boris Anguelov Avramski ("Avramski") agrees to the stipulated voluntary dismissal, without prejudice, of the above-captioned matter pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) in order to allow the United States Citizenship and Immigration Service ("USCIS") to reopen and readjudicate Plaintiff Avramski's Form N-400, Application for Naturalization, pursuant to the conditions that follow.

2. Defendants are now prepared to readjudicate the Application for Naturalization of Plaintiff Avramski and to administer the oath of citizenship should the application be granted pursuant to the following conditions.
3. Pursuant to 8 U.S.C. § 1446, Plaintiff Avramski must be examined under oath by an immigration official. Therefore, USCIS shall schedule Plaintiff Avramski for an oral examination within thirty days of the filing of this stipulation with the Court. If Plaintiff Avramski is unavailable to appear for an examination within thirty days, USCIS and Plaintiff Avramski shall schedule the examination at a mutually convenient time as soon as both parties are reasonably available.
4. USCIS shall not deny Plaintiff Avramski's Application for Naturalization on the same grounds it used to deny it on August 6, 2012.
5. Should the Plaintiff's application for naturalization be granted, USCIS will schedule Plaintiff for administration of the oath of citizenship as soon as practicable.

6. Plaintiff will not seek attorney's fees or costs under the Equal Access to Justice Act, or any other provision of law, associated with the above-captioned matter. Each party will bear its own fees and costs.

Dated: April 9, 2013

Respectfully submitted,

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Principal Deputy Assistant Attorney General
Civil Division
DAVID J. KLINE
Office of Immigration Litigation
Director, District Court Section
SAMUEL P. GO
Office of Immigration Litigation
Senior Litigation Counsel, District Court Section

/s/ John J. W. Inkeles
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Attorney for Plaintiff

IT IS SO ORDERED this 12th day of April, 2013.


Gloria M. Navarro
United States District Judge